

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
RICHARD ALFARO,

Plaintiff,

-against-

CV 06 1470
(Seybert) (Wall)

BARBARA LABADOR, individually, BETH WICKEY,
individually, ANN NOWAK, individually, HUBERT
PHILLIPS, individually, KEITH TUTHILL, individually,
PAUL HOULIHAN, individually, WILLIAM MEES,
individually, STEVEN FRANO, individually, JONATHAN

Defendants.
-----X

PLAINTIFF'S PROPOSED VOIR DIRE QUESTIONS

Pursuant to Rule 47 of the Federal Rules of Civil Procedure, and Your Honor's Individual Rules, the plaintiff respectfully requests the Court to include the following in its questioning of prospective jurors. The Court is respectfully requested to pursue more detailed questioning if a particular juror's answer reveals that further inquiry is appropriate and, in such an instance, to conclude with an inquiry as to whether the particular fact or circumstances would influence the juror in favor of, or against, the plaintiff or the defendants.

1. Are you, any of your close friends, or any relative of yours a police officer or involved with law enforcement? If so, what law enforcement agency and in what capacity?
2. Do you live in the Town of Southampton?
3. Are you employed by the Town of Southampton?
4. Do you know Stephen A. Frano, Southampton Code Enforcement Officer?
5. Do you know Officer Donald Kauth, Southampton Code Enforcement Officer?

6. Do you know Cheryl Kraft, Southampton Fire Marshal?
7. Do you know Fire Marshal Tyczkowski?
8. Do you know Fire Marshal Hansen?
9. Do you know Police Sergeant Randy Hintze?
10. Do you know Jonathan Erwin Building Inspector for the Town of Southampton?
11. Do you know Paul Houlihan former Building Inspector for the Town of Southampton?
12. Do you know William Mees?
13. Do you know anyone else who works for the Town of Southampton?
14. Do you know anyone who lives in the Town of Southampton?
15. Do you have any business dealings with the Town of Southampton?
16. Would you give any more weight to the testimony of a police officer or code enforcement officer over that of any other witness because of their position as an officer?
17. Would you give any more weight to the testimony of a town elected official over that of any other witness because of that person's office.
18. Do you believe that the occurrences of "9/11" limit a person's constitutional rights?
19. Do you drive?
20. How do you feel about lawsuits in general?
21. Have you ever been a plaintiff in a lawsuit?
22. Have you ever been a defendant in a lawsuit?
23. Have you ever served Jury Duty before?
24. Are you currently employed? If so, by who?
25. Do you or a close friend or relative work for any municipality (i.e. county, city, town, village, etc.) in any capacity?

26. Do you or a close friend or relative work in any civil service capacity?

27. Please Indicate The Approximate Total Annual Gross Income of Your Household:

Under \$10,000

\$10,000 to \$30,000

\$30,000 to \$50,000

\$50,000 to \$70,000

\$70,000 to \$100,000

Over \$1,000,000

28. Do you subscribe to and/or regularly read a magazine(s) or newspaper? If yes, which one(s)?

29. Have you ever written a letter to the editor? If so, about what subject?

30. What is the last book you read?

31. What are your favorite television shows, or which shows do you regularly watch?

32. What is your favorite radio station?

33. Do you have a personal philosophy or favorite saying that reflects your personal philosophy that can be expressed in a few sentences or less? If yes, please state it:

34. Do you consider yourself to be politically conservative, moderate or liberal?

35. Does your spouse/"significant other" have a different political philosophy? If so, please explain:

36. Do you have any difficulty in reading or writing or understanding English? If so, please explain to the best of your ability.

37. Do you have any difficulty in sight or hearing, or do you have any other disability or disease that would make jury service a hardship for you? If so, please explain.

38. Are you currently taking any medication? If so, please give the name of the medication and the reason you take it.

39. To which civil clubs, societies, professional associations, or other organizations do you belong?

40. Please indicate any official office held, if any.

41. Have you ever been opposed to any government action? If so, did you express your opposition? How?

42. Have you, your spouse, a relative, or close friend ever studied law?

43. What is your personal opinion about the law enforcement agencies and the way they work?

44. Do you believe that law enforcement agencies have to abide by the constitution and applicable laws when carrying out their functions?

45. Can you follow the judge's instructions with respect to the law, and apply it to the facts of the case to obtain a verdict while disregarding any personal opinions that you may have on how you feel the case should turn out?

Dated: Garden City, New York
July 18, 2011

CAMPANELLI & ASSOCIATES, P.C.

BY: _____s/_____
Charles A. Martin (CM-1881)
Attorneys for Plaintiff
623 Stewart Avenue
Garden City, New York 11530
(516) 746-1600

To:
Jeltje DeJong, Esq. (JD 4452)
David H. Arntsen, Esq. (DA 7472)
Devitt Spellman Barrett, LLP
50 Route 111
Smithtown, New York 11787

Telephone (631) 724-8833
Facsimile (516) 724-8010